

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

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MADILYNN WASHINGTON,

*Plaintiff,*

v.

CCS COMMERCIAL LLC,

*Defendant.*

CIVIL ACTION NO.  
5:21-cv-00425-TES

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ORDER GRANTING DEFAULT JUDGMENT

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Before the Court is Plaintiff Madilynn Washington's Motion for Entry of Default Judgment [Doc. 5] on her claims against Defendant CCS Commercial LLC. Plaintiff effected service on Defendant and, after Defendant failed to make an appearance in the case, sought and received an entry of default from the Clerk of Court on March 18, 2022.

At a party's request and following the Clerk's entry of default, the Court may enter a default judgment against a defendant who has failed to plead or otherwise defend. *See* Fed. R. Civ. P. 55; *Solaroll Shade and Shutter Corp. v. Bio-Energy Sys., Inc.*, 803 F.2d 1130, 1134 (11th Cir. 1986). Entry of default judgment is committed to the discretion of the Court. *Hamm v. Dekalb Cnty.*, 774 F.2d 1567, 1576 (11th Cir. 1985). However, default judgment does not follow automatically from an entry of default. The Court "must ensure that the well-pleaded allegations in the complaint, which are taken

as true due to the default, actually state a substantive cause of action and that there is a substantive, sufficient basis in the pleadings for the particular relief sought.” *Tyco Fire & Sec., LLC v. Alcocer*, 218 F. App'x 860, 863 (11th Cir. 2007). As to requests for damages, the Court may conduct evidentiary hearings, although “no such hearing is required where all essential evidence is already of record.” *SEC v. Smyth*, 420 F.3d 1225, 1232 n.13 (11th Cir. 2005).

In this action, the Court takes the allegations of Plaintiff’s Complaint [Doc. 1] as true under Federal Rule of Civil Procedure 55(b). The Court **GRANTS** Plaintiff’s Motion for Entry of Default Judgment [Doc. 5] against Defendant. As a result, Defendant is **ORDERED** to pay Plaintiff \$1,000.00 in actual damages and \$1,000.00 in statutory damages, plus costs and attorney’s fees pursuant to Fed. R. Civ. P. 54(d).

**SO ORDERED**, this 20th day of April, 2022.

S/ Tilman E. Self, III

**TILMAN E. SELF, III, JUDGE**

**UNITED STATES DISTRICT COURT**